

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER

JULY 3, 1997

UNITED STATES OF AMERICA)	
Complainant,)	8 U.S.C. § 1324a Proceeding
)	
vs.)	OCAHO Case No. 97A00112
)	
SI BEAUX, INC.)	
DBA: SI BEAUX HAIR SALON)	
Respondent.)	

FINAL DECISION AND ORDER APPROVING CONSENT FINDINGS

This is an action arising under the immigration and nationality Act, as amended, 8 U.S.C. § 1324a (INA). On June 26, 1992, the Immigration and Nationalization Service *INS or complainant) served a Notice of Intent to Fine on Si Beaux, Inc., dba: Si Beaux hair Salon (Si Beaux or respondent), alleging that Si Beaux hired and continued to employ a single alien knowing that alien to be unauthorized for such employment, and that Si Beaux failed to properly complete Sections 1 and 2 of the Employment Eligibility Form (I-9) for that same individual, as well as five others. After Respondent's written request for a hearing dated July 3, 1992 (sic), the INS filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO), on May 22, 1997.

On June 27, 1997, the parties filed a Joint Motion to Approve Consent Findings, together with a Settlement Agreement signed by both parties which resolves all issues in the complaint.

Under § 68.14(a) of the OCAHO Rules of Practice and Procedure:

(a) Where the parties or their authorized representatives or their counsel have entered into a proposed settlement agreement, they shall:

(1) Submit to the presiding Administrative Law Judge:

(i) the proposed agreement containing consent findings; and

(ii) a proposed decision and order;

28 C.F.R. § 68.14(a)(1).

In this case,, I find that the parties have complied with the requirements of 28 C.F.R. § 68.14 (a)(1). I have reviewed the Settlement Agreement, and find that its terms are appropriate in timeliness, form, and substance pursuant to 28 C.F.R. §§ 68.14 (a), (b), and (c).

I further find that under the terms of the Agreement, and pursuant to 28 C.F.R. §§ 68.14 (b) (c):

1. respondent has withdrawn its request for a hearing on the merits;
2. respondent admits the allegations of Counts I and II of the complaint and agrees to pay the civil money penalties set forth in the agreement;
3. the parties have waived any further procedural steps before the administrative law judge;
4. the parties have waived any right to challenge or contest the validity of this decision and order;
5. the entire record on which the decision and order is based consists solely of the complaint, the notice of hearing, and the Settlement Agreement Containing Consent Findings, herein incorporated by reference;
6. this decision and order shall have the same force and effect as a decision and order made after a full hearing.

SO ORDERED.

Dated and entered this 3rd day of July, 1997.

Ellen K. Thomas
Administrative Law Judge